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4 JAHN MCGEE, et al.,
5 Plaintiffs,

6 v.
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8 COUNTY OF ALAMEDA, et al.,
9 Defendants.
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11 Case No. [12-cv-04286-JST](#)
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13 **ORDER TO SHOW CAUSE**

14 Re: ECF No. 34
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16 On May 20, 2013, the Court dismissed the only claim in the first amended complaint that
17 Plaintiffs asserted against two named defendants, and it granted Plaintiffs leave to file an amended
18 complaint by June 9, 2013. ECF No. 34. As of the date of this order, Plaintiffs have not filed an
19 amended complaint. The remaining claims in the first amended complaint are asserted against
20 unnamed “Doe” defendants. Though more than 120 days have passed since Plaintiffs filed the
21 first amended complaint, Plaintiffs have not yet served the “Doe” defendants.¹ See Fed. R. Civ. P.
22 4(m) (permitting a district court to dismiss a claim if the plaintiff does not serve the defendant
23 within 120 days of the date on which the complaint is filed); see also Hason v. Med. Bd. of Cal.,
24 279 F.3d 1167, 1174 (9th Cir. 2002) (affirming dismissal for failure to prosecute on the ground
25 that the plaintiff failed to serve the defendants within 120 days of filing the complaint).

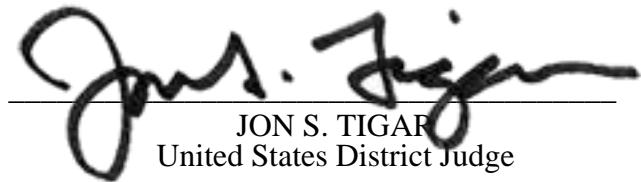
26 By July 31, 2013, Plaintiffs shall show cause, in writing, why this action should not be
27 dismissed for failure to prosecute. Alternatively, by July 31, 2013, Plaintiffs may file an amended
28 complaint that cures the deficiencies identified in the order dismissing the claims against the

¹ Plaintiffs filed the first amended complaint on January 7, 2013. ECF No. 15.

1 named defendants and file a certificate of service with respect to the "Doe" defendants. A failure
2 to file either a statement in response to this order or an amended complaint and certificate of
3 service will result in the dismissal of this action.

4 **IT IS SO ORDERED.**

5 Dated: June 28, 2013



6 JON S. TIGAR
7 United States District Judge

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United States District Court
Northern District of California